

## Class/collective actions in Portugal: overview

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### OVERVIEW OF CLASS/COLLECTIVE ACTIONS AND CURRENT TRENDS

#### 1. What is the definition of class/collective actions in your jurisdiction? Are they popular and what are the current trends?

##### Definition of class/collective actions

Under Portuguese law, parties are generally allowed to file a claim together with other parties holding the same interest, provided that their requests are all based on the same facts. If these criteria are met, subsequent joining of several actions is also allowed.

Law No. 83/95 of 31 August 1995 also provides a specific form of class/collective action where either individuals or a group of individuals, associations, foundations, local authorities or, in respect of certain matters, the Public Prosecutor and the Directorate-General for Consumers, are allowed to bring an action on behalf of a larger group of persons. This action is called *acção popular*. Any reference to class actions made in this Q&A refers to the *acção popular*.

Class actions are aimed at preventing infringements against:

- Public health.
- Consumer rights.
- Unqualified investor rights regarding financial instruments.
- Quality of life.
- Environment.

State property (or property of the Autonomous Regions or of the local authorities) and cultural heritage, or any other areas where supra-individual material interests may be at stake (see *Question 3*).

Where applicable, compensation for damages can be obtained.

##### Use of class/collective actions

Class actions are not very common in Portugal. The majority of the class actions brought are to protect environmental rights, public works or assets belonging to the public domain.

##### Current trends

The number of class actions regarding financial instruments filed by small investors and organisations representing them has been increasing. In 2014 and 2015, class actions were filed against the Banco Espírito Santo and its Board of Directors, the audit company of that bank, the Bank of Portugal, the Portuguese Securities Market Commission and the Portuguese State relating to investments made in and through Banco Espírito Santo and the measures taken to wind down the bank.

### REGULATORY FRAMEWORK

#### 2. What are the principal sources of law and regulations relating to class/collective actions? What are the different mechanisms for bringing a class/collective action?

##### Principal sources of law

The principal sources of law relating to class actions in Portugal are:

- Law on the participation in administrative proceedings and the *acção popular*, providing the scope and the particularities of the class action procedure, as well as its effects (*Law No. 83/95 of 31 August 1995, rectified by Rectification No. 4/95 of 12 October 1995*).
- Portuguese Civil Procedure Code, providing the scope and the parties entitled to file a class action and the general terms of the procedure where it shall be governed by a civil court (*Law No. 41/2013 of 26 June 2013, rectified by Rectification No. 36/2013 of 12 August 2013*).
- Procedure Code of Administrative Courts, providing the scope and the parties entitled to file a class action and the general terms of the procedure where it shall be governed by an administrative court (*Law No. 15/2002 of 22 February 2002, last amended by Law No. 63/2011 of 14 December 2011*).
- Portuguese Constitution, outlining the scope and the parties entitled to file a class action (*Article 52, paragraph 3, Decree 10/04 of 1976, last amended by Law No. 1/2005 of 12 August 2005*).
- Law of Environment Policy, providing the possibility of filing class actions on environmental matters (*Article 7, Law No. 19/2014 of 14 April 2014*).
- Law of Cultural Heritage, providing the scope and the parties entitled to bring class actions on cultural heritage matters (*Law No. 107/2001 of 8 September 2001*).
- Consumer Protection Act, in connection with consumer claims and the powers of the consumer associations to file a class action (*Law No. 24/96 of 31 July 1996, last amended by Law No. 47/2014 of 28 July 2014*).
- Portuguese Securities Code, regarding the class actions seeking to protect interests of non-qualified investors in financial instruments (*Article 31, Decree-Law No. 486/99 of 13 November 1999, last amended by Law No. 124/2015 of 7 July 2015*).

##### Principal institutions

Class actions are filed before civil or administrative courts, depending on the subject matter of the claim. For instance, the challenging of acts committed by public entities or the request for compensation before those entities must be submitted before administrative courts; on the other hand, the proceedings against private entities must be filed before civil courts.

### Different mechanisms

Class actions can be brought by means of submission of a statement of claim before the competent court, by individuals or organisations representing the injured individuals or interests.

Individuals are entitled to represent all other citizens holding the same interests without being specifically mandated or authorised to do so. Law No. 83/95 provides an opt-out scheme.

The type and the stages of the applicable proceeding depend on the subject-matter at stake. However, there are some particular rules applicable to every class action.

### 3. Are class/collective actions permitted/used in all areas of law, or only in specific areas?

Generally, class actions are not restricted to a particular area of law or to a specific sector. However, the Constitution provides a list of areas where class actions are most commonly used (*Article 52, paragraph 3, Constitution*).

#### Product liability

Class actions can be used in connection with consumer rights in general, notably in connection with product liability.

#### Environmental law

Class actions have been brought relating to quality of life and environmental protection.

#### Competition law

The use of class actions regarding competition is allowed, but not specifically provided by Portuguese law. The first known class action on competition matters was filed in 2015 by the Observatory of Competition (*Observatório da Concorrência*) against a television channel for anti-competitive practices against the clients and any potential clients of the channel.

#### Pension disputes

Class actions regarding pension disputes are allowed. However, according to available information to date, no class actions concerning this matter have been filed.

#### Financial services: consumer redress

Portuguese law specifically provides the possibility of claiming unqualified investor rights regarding financial instruments through class actions. The Portuguese Securities Code sets out specific rules concerning class actions in this area of law.

#### Other areas of law/policy

Portuguese law specifically provides that class actions can also be brought in the following areas:

- Public health.
- Cultural heritage.
- Public domain, where class actions regarding public construction works are the most common.

Additionally, in accordance with the available information, during the last year class actions were filed in order to prevent the implementation of new government policies (for example, the closure of courts or the obligation to pay motorway tolls in former toll-free motorways).

The Article 25 of Law No. 83/95 of 31 August 1995 provides that the parties entitled to file a class action can lodge a complaint for criminal offense and/or participate in ongoing criminal proceedings where breach of relevant interests of criminal nature has occurred.

However, Law No. 83/95 does not establish if the parties who are not directly affected, or that are simply defending diffuse interests, are allowed to ask for compensation for damages in the criminal proceedings. There is a decision of the Oporto Court of Appeal (*Decision No. 195/98, 25 March 1998, Colectânea de Jurisprudência No. 239*) providing that such a request must be made through the class action. However, Professor Miguel Teixeira de Sousa, a well-known Portuguese author, considers otherwise (*A Legitimidade Popular na Tutela dos Interesses Difusos, Lex, Lisboa, 2003, pp. 140-141*).

### LIMITATION

### 4. What are the key limitation periods for class/collective actions?

There are no specific time limits on bringing or issuing class actions, except for the ordinary terms of criminal, civil and administrative statutes of limitations.

Under the Civil Code, the general civil statute of limitation is 20 years. However, the statutes of limitation vary depending on the type of claim and shorter limitation periods are applicable.

A limitation period of five years is applicable to rents, interests and any periodically renewable benefits. As to claims for non-contractual liability, the right to ask for compensation lapses three years as of the date when the party became aware of the right it holds.

Statute of limitation periods can be suspended or interrupted, for example, when the defendant is served on the judicial proceedings aimed at claiming the right in question.

The challenge of null and void (*nulos*) acts is not subject to any statute of limitation while the cancelling of irregular/merely voidable (*anuláveis*) acts are subject to one-year maximum limitation periods.

The Penal Code sets out different types of regimes. Regarding some criminal offences the interested party must submit a complaint within six months as of the date when that party became aware of the illicit facts and who the offenders are. For other criminal offences, criminal proceedings can be initiated regardless of a complaint. In this case, statute of limitation periods can be from one year to 15 years, depending on the penalty provided by the law to the criminal offense in question; these time periods may also be interrupted and suspended, which can extend the applicable statute of limitation periods.

### STANDING AND PROCEDURAL FRAMEWORK FOR BRINGING AN ACTION

#### Standing

### 5. What are the rules for bringing a claim in a class/collective action?

#### Definition of class

The claimant must represent a group of people with an interest or right in the class action. As a rule, the parties are affected by the same or similar conduct, or the rights and interests harmed are related.

#### Potential claimant

Potential claimants can include:

- Individuals (citizens with political and civil rights), with or without a direct interest, provided that his claim is not purely individual, that is, that collective interests are at stake.

- Associations and foundations that defend relevant interests (regardless of whether or not they have a direct interest in the case), provided that:
  - they have legal personality;
  - their articles of association specifically include the purpose of defending relevant interests in this kind of action; and
  - they do not carry out any kind of professional activity that competes with another companies or independent professions.
- Local authorities regarding the interests of their residents, within their respective area.
- The Public Prosecutor, where cultural heritage or consumer rights are in question.
- The Directorate-General for Consumers, where consumer rights are in question.

### Claimants outside the jurisdiction

Claims can be brought by individuals outside the jurisdiction. There are no specific rules to restrict "forum shopping".

### Professional claimants

In Portugal the concept of "professional claimant" is not implemented.

However, under to general civil law terms regarding the assignment of credits set out in the Civil Code, claims can be brought by a professional commercial claimant that purchases the rights to individual claims in return for a share of the proceeds of the action.

### Qualification, joinder and test cases

## 6. What are the key procedural elements for maintaining a case as a class action?

### Certification/qualification

There is no mechanism of previous certification regarding the qualification of a class action. However, after receiving the statement of claim and having heard the public prosecutor and made all required inquiries, the judge can immediately dismiss the case if the claim is very likely to be rejected.

### Minimum/maximum number of claimants

Portuguese law does not provide a minimum or maximum number of claimants or claims required for an action to be brought.

### Joining other claimants

Law No. 83/95 sets forth an "opt-out" scheme (*Article 15, Law No. 83/95 of 31 August 1995*).

After the submission of the statement of claim of the class action, parties holding the same interests claimed in such action are summoned in order to, within the time period set by the judge:

- Join the proceedings.
- Give their consent to be represented by the claimant.
- Otherwise state that they do not wish to be represented by the claimant, in which case any decisions rendered within the class action is not be applicable to them (opt-out).

Parties can opt-out up to the end of the stage for collecting evidence.

The interested parties' silence is deemed as an "opt-in", meaning that the parties are bound by the award rendered in the class action.

Parties can be served through the following means:

- Directly to each potential party, usually by means of a registered letter with acknowledgement of receipt.
- By means of one or various announcements made public through the media or public notices, whether referring to general interests or geographically localised interests. The identification of the parties that may be entitled to join the claim is not required, though some reference to the group of people potentially affected must be made, as by making reference to the relevant scope determined from the specific circumstances or features. The announcements must at least refer to the first claimant (when there are several), the grounds of the action, the request and the defendants.

### Test cases

Test cases are not used in class actions. The court rules on a case-by-case basis.

However, the court can order preliminary issues related to matters of law and matters of fact and these issues are resolved by a judge.

The opt-out scheme makes the award applicable to all parties that did not specifically exclude themselves from the class action, unless one of two circumstances is met:

- The class action is dismissed due to the lack of evidence.
- The judge, at his own discretion, decides otherwise based on the particular circumstances of the case.

### Timetabling

## 7. What is the usual procedural timetable for a case?

The Procedural Law does provide some time limits applicable to court proceedings, such as a time limit to file the defence. This is a period of about one month to schedule the preliminary hearing or issue a preliminary assessment of the case and a 30-day period from the final hearing to render the judgment.

However, in practice, the courts do not comply with this legal timetable. The timetable in practice mostly depends on the type of action and the workload of the competent court.

Usually a lawsuit takes one to two years to get to trial. Interim proceedings are urgent proceedings, and therefore they usually take a few months to obtain a judgment.

### Effect of the area of law on the procedural system

## 8. Does the applicable procedural system vary depending on the relevant area of law in which the class/collective action is brought?

Environmental, cultural heritage and public domain cases usually are governed by administrative courts and the other areas mentioned in *Question 3*, by civil courts. There are different rules applicable to administrative and civil procedures. However, the main mechanisms of both procedures are quite similar.

## FUNDING AND COSTS

### Funding

## 9. What are the rules governing lawyers' fees in class/collective actions?

Lawyers' fees are not established or limited under the Portuguese Bar Association Statute (*Law No. 15/2005 of 26 January 2005, last amended by Law No. 12/2010 of 25 June 2010*).

Under the Bar Association Statute, lawyers are not allowed to be paid on the basis of a contingency or success fee only.

#### 10. Is third party funding of class/collective actions permitted?

There are no specific regulations regarding third party funding of class actions. In general terms, although third party funding is not prohibited, it is not common in Portugal.

#### 11. Is financial support available from any government or other public body for class/collective action litigation?

Under Law No. 34/2008 of 26 February 2008 claimants are exempted from paying court fees in class actions, unless the case is dismissed for being manifestly unfounded.

Moreover, legal aid is available for the defendants. Under general rules applicable to legal aid defendants can request an exemption from paying court fees or to pay them in instalments and/or ask for an exemption from paying lawyer fees (*Law No. 34/2004, of 29 July 2004, last amended by Law No. 47/2007, of 28 August 2007*). The latter is only possible where the parties accept to be assisted by a state-appointed attorney.

In order to obtain legal aid, the defendants must prove to be in economic need. Legal aid is not granted to profit-making legal persons.

#### 12. Are other funding options available to claimants in class/collective actions?

No other funding options for the claimants are used concerning class actions.

#### Costs

#### 13. What are the key rules for costs/fees in class/collective action litigation?

##### Court fees and expenses

Claimants are not required to pay any court fees in class actions, unless the case is dismissed for being manifestly unfounded (see *Question 11*).

If any court fees or costs are applicable, they are assessed by the court at the end of the proceedings in accordance with the complexity and value of the proceedings.

The liability for the claimants' court fees and costs, if applicable, is joint and several in nature.

##### Recoverable costs from the losing party

Without prejudice of claimants' exemption under the terms referred to above, the "loser pays" principle is applicable. Court fees and other costs paid are recoverable by the successful party from the losing party. Lawyer fees of the successful party are recoverable up to a maximum amount set by Law No. 34/2008, estimated on the basis of a percentage of the court fees.

##### Withdrawal and settlement

In cases where a party withdraws the proceedings, it is liable for paying the court fees and costs.

If the case settles, court fees and costs are generally equally allocated between the parties, in the absence of a contrary agreement.

However, claimants are exempted from paying court fees and costs and defendants can ask for legal aid (see *Question 11*).

#### Key effects of the costs/funding regime

#### 14. What are the key effects of the current costs/funding regime?

Class actions are rarely used in Portugal despite claimants being exempt from court fees. The non-funding of legal fees and the low legal caps for the reimbursement of the fees can in fact discourage the filing of a claim.

#### DISCLOSURE AND PRIVILEGE

#### 15. What is the procedure for disclosure of documents in a class/collective action?

No specific provisions are applicable to class actions.

##### Before litigation

There is no obligation to disclose documentary evidence prior to the beginning of court proceedings.

However, if relevant documents are in the possession of the counterparty and there is a reasonable fear of those being destroyed or hidden, an injunction can be filed in order to identify these documents and prevent the party denying its existence later on.

For public entities, Procedure Code of Administrative Courts specifically provides for bringing court proceedings and/or filing interim urgent proceedings aimed at obtaining documents and information.

##### During litigation

There is no obligation to disclose documentary evidence.

However, the court can, at the request of the parties or at its own discretion, summon any parties or third parties to disclose documents.

The counterparty or third party can refuse to disclose the documents based on the following grounds:

- Violation of people's physical or moral integrity.
- Intrusion into people's private or family life, home, correspondence or telecommunications.
- Violation of professional or civil servants' privilege, or violation of state secrecy (see *Question 16*).

If the counterparty states that the document is not in its possession, the party who requested it is allowed to prove otherwise. The counterparty must then prove that the document disappeared or was destroyed without fault, otherwise the burden of proof will be reversed in the party's favour.

If the third party refuses to submit the document, without any underlying reason, or if the third party states that it is not in possession of the document and the party who requested it proves otherwise, the court can apprehend the document in question and set a fine for the absence of voluntary submission.

#### 16. Are there special considerations for privilege in relation to class/collective actions?

No specific provisions are applicable to class actions.

Under Civil Procedure Code and Criminal Procedure Code a party or any third party (as absent class members that have opted-out) can refuse to submit documents or give statement based on the grounds of violation of professional or civil servants privilege or violation of state secret.

The court can, after hearing the representative body of the profession, order the party or the third party to submit the documents or to give a statement where the refusal is considered unfounded.

Additionally, if the matter is subject to professional secrecy, the court of appeal is allowed to determine the breach of professional secrecy, in accordance to the principle of the most important prevailing interest.

Regarding the violation of state secrecy, if the judge considers that the refusal to give statement is unfounded, the issue must be referred to the Prime Minister.

## EVIDENCE

### 17. What is the procedure for filing factual and expert witness evidence in class/collective actions?

No specific provisions are applicable to class actions.

Under Portuguese law, only factual witness evidence is allowed. Expert evidence by independent experts can also be obtained.

#### Factual witness evidence

Each party can appoint up to ten witnesses or up to 20 in case there is a counterclaim. Under exceptional circumstances and depending on the matter in dispute, the judge can allow the parties to submit further witnesses.

In general, witnesses give their oral testimony about facts and in the final hearing. Witness evidence is one of the most, and sometimes the most, relevant mean of evidence for the courts.

No legal limits on the length of statements are applicable and usually judges are not very restrictive.

The parties themselves can also give evidence.

#### Expert evidence

Under Portuguese law, expert evidence can be requested by the parties and by the judge.

Expert evidence can be provided by a panel of experts (two appointed by each party and the last one by parties' agreement or by the judge) or one expert only.

If the value of the proceedings is lower than EUR15,000, expert evidence is always provided by an expert only. If so, the parties are allowed to suggest an expert. However, the judge can decide at his discretion.

Experts must be independent. They must prepare a report before the trial takes place and their attendance in the final hearing may be required in order to provide explanations or clarifications to their report.

During the hearings, the court and the parties can also be assisted by an expert with competence and capacity to help the judge with the examination and interpretation of relevant facts.

#### Pre-trial evidence

Pre-trial witness evidence (given in writing or orally) or expert evidence can be obtained, provided that a justified concern of obtaining evidence later on exists.

This request can also be made before bringing an action. The party must provide a summary of the grounds of the request and the request itself.

However, the parties can submit technical reports. The judge will not be bound by the opinion stated in these reports, but the courts usually take them into consideration. These reports can be submitted after the submission of the statement of claim.

## DEFENCE

### 18. Can one defendant apply to join other possible defendants in a class/collective action?

#### Joining other defendants

The defendant can apply to join other defendants, provided he shows that the new defendant is potentially liable for the facts described in the claim.

Where the defendant seeks to obtain compensation from a third party due to the right of recourse, the joining of such party is also allowed.

#### Rights of multiple defendants

There are no legal restrictions on defence agreements including sharing information between the defendants.

Multiple defendants can instruct the same lawyer, submit joint statement of defence or other submissions and also appoint joint experts. Additionally, there are some benefits in terms of court fees. For example, under certain circumstances if the defendants file their pleadings together they will only pay the amount corresponding to one court fee; while if the defendants submit their pleadings separately each one of them will pay the amount of the court fee.

## DAMAGES AND RELIEF

### 19. What is the measure of damages under national law in the field of class/collective actions?

#### Damages

Either patrimonial or non-patrimonial damage, as actual losses or loss of profit are recoverable. Generally, there is no maximum limit on the damages recoverable from one defendant. However, the Civil Code establishes some specific cases where there is a cap on the damages recoverable, irrespective of culpability, for example:

- Damages caused by traffic accidents.
- Electric or gas facilities.

Under the regime applicable to compensation provided in class actions, two forms of compensation can be set. The first is the amount of compensation for the claimants individually identified and the second is to the non-identified claimants.

Identified claimants are compensated in accordance with the general terms, meaning that they are compensated for the harm actually suffered. However, class actions are not designed for compensating damages individually suffered by each person. Supra-individual interests will also be considered.

Where supra-individual interests are considered, according to Professor Miguel Teixeira de Sousa (*A Legitimidade Popular na Tutela dos Interesses Difusos*, pp. 167-170), the gains obtained by the defendant with the conduct that caused damage may be taken into consideration. However, under the Civil Code these damages are not recoverable, except if expressly agreed between the parties. This is despite recent case law that is beginning to recognise some form of punitive damages. Therefore, the analysis of defendant's behaviour and gains cannot have a punitive scope.

For the non-identified claimants, the court will set an overall compensation for damages to their interests. The defendants' right

to payment of the compensation determined in the award lapses three years from award becoming definitive (*res judicata*).

### Recovering damages

If the defendant is sentenced to pay damages, he is entitled to recover the payment from other persons liable for the conduct complained of, based on the right of recourse (*direito de regresso*).

The defendant can anticipate this possibility and apply to join other defendants based on the right of recourse. In this case, the right of recourse can be decided during the proceedings or new court proceeding can be brought subsequently.

### Interest on damages

No special rules apply to the payment of interest in class actions.

## 20. What rules apply to declaratory relief and interim awards in class/collective actions?

### Declaratory relief

Declaratory relief in class actions must be applied for in the statement of claim and granted in the award, in accordance with the general procedural rules.

Declaratory relief is most commonly applied in respect of consumer rights and is specifically provided in the Consumer Protection Act. This statute provides that declaratory relief can be aimed at avoiding, correcting or stopping any practices that might impair health and physical safety, the use of prohibited general contractual terms or competition.

### Interim awards

A party can apply for an interim award before a court, either in the course of an ongoing lawsuit or prior to filing the main lawsuit. All interim procedures are regarded as urgent and the measures ordered by the courts, prior or during the proceedings, are binding.

A court will accept an interim measure if the claimant provides evidence of the following:

- A high likelihood of the right claimed by the applicant.
- A grounded prediction that, if no preventive measure is ordered by the court prior to the final award, the claimed right can become seriously impaired and in a way that would be difficult to repair.

Even if these conditions are met, the court can refuse to order the interim measure when the damage to the defendant is significantly greater than the loss which the applicant wishes to avoid.

There is not a closed list of interim awards and no special interim awards are provided to class actions. Nonetheless, the most commonly applied are the ones aimed at suspending administrative decisions and/or public works or preventing the defendant to start or continue performing a certain contract or act.

## SETTLEMENT

### 21. What rules apply to settlement of class/collective actions?

#### Settlement rules

Cases can be settled out of court and settlements are submitted to the file by the parties.

There are no special provisions applicable to the settlement of claims/proceedings in class actions, other than the ones providing the possibility of replacement of the claimant by the public prosecutor where the case is settled.

The public prosecutor can also replace the claimant in case of withdraw of the case or in the event that he considers that interests being represented in the class actions are being harmed.

### Separate settlements

Defendants are free to waive the proceedings or settle in what specifically refers to their position and liability. If the defendants are required to be in the proceedings together, or whenever it is necessary to ensure the effectiveness of the decision, the settlement or waiver of one defendant does not produce any effect.

## APPEALS

### 22. Do parties have a right to appeal decisions relating to class actions, such as a decision granting or denying certification of a class action?

The parties have the right to appeal under the general terms. Portuguese legal system provides two levels of appeal.

#### First level of appeal

In Portugal there are several courts of first level of appeal. Appeals are allocated based on geographical criteria, depending of which was the court of first instance.

Parties can discuss matters of fact and law. The court can review the evidence. Additionally, it is allowed to order the repetition of the trial in first instance.

#### Second level of appeal

In Portugal there is one court of second level of appeal.

Parties are only allowed to discuss matters of law. However, depending on the matter at stake, the party may be prevented from lodging the appeal if both the court of first instance and the court of first level of appeal have ruled against the party for the same substantial reasons.

There are some exceptional conditions, though, where the appeal is always accepted, such as whether the matter at issue is of legal relevance, the interests at stake are of social relevance, or there is a former award issued by a court of first or second level of appeal ruling the same material legal issue in a different way.

#### Effects of the appeal

In general terms, lodging an appeal does not suspend the performance of the award issued in the lower court, unless certain exceptional circumstances are met. However, in respect of class actions the judge can, at his own discretion, suspend the effects of the judgment in order to avoid any irreparable damage.

## ALTERNATIVE DISPUTE RESOLUTION

### 23. Is alternative dispute resolution (ADR) available in class/collective actions?

The matters referring to the interests in question in the class actions (as consumer claims and other claims regarding the infringements mentioned in *Questions 1 and 3*) can be referred to an ombudsperson, in accordance with the general terms. However, ombudsperson has no judicial authority.

Where the counterparty consents and/or agrees, mediation and arbitration are also available, in accordance with the general terms. Within arbitration, the remedies available are those foreseen in ordinary proceedings, including interim measures.

However, such alternative dispute resolutions mechanisms are not class actions (*ações populares*) in the sense and under the terms provided by Law No. 83/95, of 31 August 1995.

## PROPOSALS FOR REFORM

### 24. Are there any proposals for reform concerning class/collective actions?

There are no current proposals for reform concerning class actions.

However, the recommendations made by the European Commission for collective redress may lead to some changes in this area, as some of them differ from the regime laid down in the Portuguese statute on this matter (for example, regarding the EU recommendation of opt-in systems).

## ONLINE RESOURCES

### Diário da República Electrónico

<http://www.dre.pt>

Website of the Portuguese State with the official legislation; legislation is only provided in Portuguese

### Assembleia da República

<http://www.parlamento.pt/>

Website of the Portuguese Parliament where official legislation and versions of the papers discussed until the approval are provided. Portuguese Constitution is provided in English, for guidance only: <http://www.parlamento.pt/Legislacao/Paginas/ConstituicaoRepublicaPortuguesa.aspx>

### Procuradoria-Geral Distrital de Lisboa

<http://www.pgdlisboa.pt>

Website of the Lisbon Prosecutor office, with up-to-date unofficial but very reliable versions; legislation is only provided in Portuguese.

### Case-law official data base

<http://www.dgsi.pt/>

Official website with a selection of awards issued by the Portuguese courts of appeal and the Constitutional Court.

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